

### REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 77-98 are currently pending. Claims 96-98 have been amended by the present amendment. The changes to the claims are supported by the originally filed specification and do not add new matter.

In the outstanding Office Action, Claim 86 was objected to as containing an informality; Claims 96-98 were rejected under 35 U.S.C. § 112, second paragraph, regarding a question of antecedent basis; and Claims 77-95 were allowed.<sup>1</sup>

Applicants respectfully traverse the objection to Claim 86. Applicants submit that the detecting means recited in Claim 86 refers back to the detecting means recited in Claim 77, not to the peak threshold detection means recited in Claim 84, as implied in the Office Action. Accordingly, Applicants respectfully submit that no correction to Claim 86 is required.

Applicants respectfully submit that the rejection of Claims 96-98 under 35 U.S.C. § 112, second paragraph, is rendered moot by the present amendment to Claims 96-98. Claim 96 has been amended to clarify that the peak threshold detection step detects if an output signal generated in the step of detecting the correlation peak exceeds a predetermined correlation peak threshold. Accordingly, Applicants respectfully submit that the rejection of Claims 96-98 is rendered moot.

Thus, Applicants respectfully submit that Claims 77-98 are in condition for formal allowance.

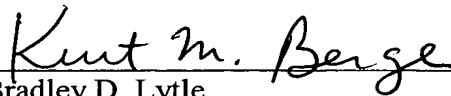
---

<sup>1</sup> Although not explicitly stated in the Office Action, Applicants assume that Claims 86 and 96-98 would be allowed if the rejections noted in the Office Action are overcome.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)

Kurt M. Berger, Ph.D.  
Registration No. 51,461

BDL:KMB\dt  
I:\ATTY\KMB\282826US-AM.DOC